

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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GARY CISER, on behalf of himself and  
all others similarly situated,

Plaintiff,

- against -

NESTLÉ WATERS NORTH  
AMERICA, INC.,

Defendant.

: CIVIL ACTION  
: No. 11-5031  
: HON. WILLIAM J. MARTINI

-----X  
NOTICE OF APPEAL

Notice is hereby given that Plaintiff Gary Ciser, on behalf of himself and all others similarly situated, hereby appeals to the United States Court of Appeals for the Third Circuit from the October 24, 2013 Order (Dkt. No. 31) granting Defendant Nestlé Waters North America, Inc.'s Motion to Dismiss Plaintiff's Second Amended Complaint.

Respectfully submitted,

/s/

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*Counsel for Plaintiff and the Class*

Dated: Armonk, New York  
November 21, 2013

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via ECF this 21th day of November, 2013 upon the following counsel of record:

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/s/ Steven L. Wittels  
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